



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009905

Applicant Name: Paul Enger of Lance Mueller and Associates
for Holgate Street Church of Christ

Address of Proposal: 2600 South Holgate Street

SUMMARY OF PROPOSED ACTION

Revision to MUP 3003877 for additional height within a required setback and modifications to approved height/bulk/scale under previous Administrative Conditional Use review.

The following approvals are required:

Administrative Conditional Use - To expand an institution in a Lowrise 2 (L2) zone.
(Seattle Municipal Code Chapter 23.45.116 and 122)

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

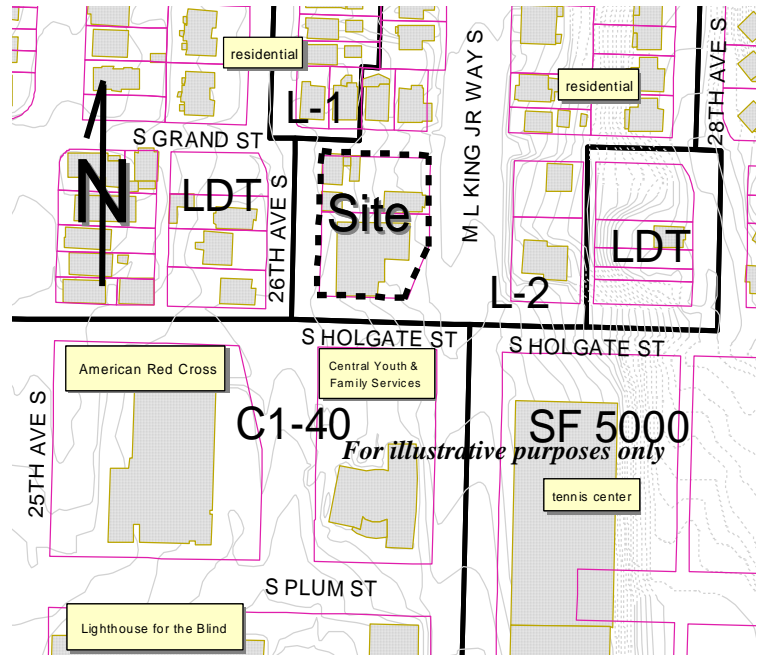
☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject property occupies the entire block bordered by Martin Luther King Jr. Way South, South Holgate Street, 26th Ave South, and South Grand Street. The site is located within a Multi-family Lowrise 2 zone (L2). Adjacent zones include Lowrise 1 (L1) to the north, Lowrise Duplex Triplex (LDT) to the west and Commercial 1 with a 40' height limit (C1-40) to the south.

The subject property includes an existing institution (Holgate Street Church of Christ) and two single family residences. Surrounding uses include single family and multi-family residential to the north, west, and east, and institutions (Red Cross, Central Youth and Family Services) to the south, and a Seattle Parks Dept Tennis Center to the southeast.



This site is located within the North Rainier Hub Urban Village, in an area considered part of the Mount Baker neighborhood. This area is located a few blocks south of I-90 and a few blocks east of Rainier Ave South. There is one arterial street bordering the site, Martin Luther King Jr. Way S. The area is characterized by single family and multifamily uses, with some institutions in the form of churches and social services. The area surrounding the subject property slopes down to the west.

Proposal Description

The proposed expansion was originally reviewed and approved with an Administrative Conditional Use Permit under MUP 3003877.

The original approval included a 15,070 square foot net expansion to the existing institution. 7,629 square feet of the existing church building would be remodeled into office and meeting areas. 2,375 square feet of the existing church building would be demolished and rebuilt. An additional 15,070 square feet of new construction would be added for a total size of 25,074 square feet.

The proposed modifications to the 3003877 MUP include additional building structure within a required setback from the west property line. The total proposed expansion includes 16,904 square feet (1,834 square feet larger than the expansion approved with 3003877). The additional structure would not meet development standards, and therefore further Administrative Conditional Use review is required. The original analysis under 3003877 and the analysis of proposed additions under 3009905 are described below.

Public Comment

Public notice of the original application was posted and mailed on April 6, 2006. No public comment letters were received.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

Lowrise 2 General Provisions

SMC 23.45.004.A. The following principal uses are permitted outright in all multifamily zones:

7. Institutions meeting all development standards;

SMC 23.45.090.A. The establishment of new institutions, such as religious facilities, community centers, private schools and child care centers, which meet the development standards of Sections 23.45.092 through 23.45.102, shall be permitted outright in all multifamily zones. Institutions not meeting all the development standards of these sections may be permitted as administrative conditional uses subject to the requirements of Section 23.45.122.

Analysis from 3003877: *The Land Use Code allows institutions as a use permitted outright if the proposal meets all development standards. Since the institution would not meet the L2 zone development standards for building depth, the proposed is required to submit for an Administrative Conditional Use review.*

Additional analysis for 3009905: none

SMC 23.45.102.A. A. The lot line of any new or expanding institution other than child care centers locating in legally established institutions shall be located six hundred (600) feet or more from any lot line of any other institution in a residential zone with the following exceptions:

Analysis from 3003877: *The existing institution is located less than 600' from several other institutions. However, these institutions are located in a Commercial zone. Since the nearby institutions are not located in a residential zone, the proposal meets this criterion.*

Additional analysis for 3009905: none

SMC 23.45.094.B. Maximum Depth. The maximum depth of institutional structures shall be sixty-five (65) percent of lot depth.

Analysis from 3003877: *The proposed structure depth is 101.92 feet, which is 15.58' more than permitted by development standards (86.34' maximum structure depth permitted by this development standard). The proposal is subject to the Administrative Conditional Use criteria.*

Additional analysis for 3009905: The structure depth remains the same. The proposed structure is 25' high within the required setback adjacent to the west property line, which is 5' more than permitted by development standards (20' high within the setback area is permitted by SMC 23.45.090). The area over maximum height within the required setback measures 3' deep by 50' long. The proposal is subject to the Administrative Conditional Use criteria.

Administrative Conditional Use – General Provisions

SMC 23.45.116. B. Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Subchapter I.

Analysis from 3003877: *This proposal is subject to development standards SMC 23.45.002 through 23.45.018, except as described above for maximum structure depth.*

Additional analysis for 3009905: The structure depth remains the same. This proposal is subject to development standards SMC 23.45.002 through 23.45.018, except as described above for maximum structure depth and structure height in a required setback.

C. The Director may approve, condition or deny a conditional use. The Director's decision shall be based on a determination whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

Analysis from 3003877: *This decision shall be based on whether the proposed use meets the development criteria and conditional use criteria as described in SMC 23.45.122 A through D. An institution (Holgate Street Church of Christ) has operated at this site since 1970. The City recognizes the public benefit that institutions, such as these have made by providing cultural opportunities to their communities. The criteria for establishing this expansion shall be examined, and the project will be conditioned to attempt to mitigate any detriment or injury to property in the vicinity.*

Additional analysis for 3009905: none

D. In authorizing a conditional use, the Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest.

Analysis from 3003877: *The criteria described in SMC 23.45.122 A through D are used to evaluate the proposal and condition, if necessary, to protect other properties and the public interest.*

Additional analysis for 3009905: none

E. The Director shall issue written findings of fact and conclusions to support the Director's decision.

Analysis from 3003877: *Findings and conclusions are enumerated in the following analysis.*

Additional analysis for 3009905: none

F. Any authorized conditional use which has been discontinued shall not be reestablished or recommenced except pursuant to a new conditional use permit. The following shall constitute conclusive evidence that the conditional use has been discontinued:

- 1. A permit to change the use of the property has been issued and the new use has been established; or***
- 2. The property has not been devoted to the authorized conditional use for more than twenty-four (24) consecutive months.***

Analysis from 3003877: *The use remains the same at this site and has not been discontinued.*

Additional analysis for 3009905: none

SMC 23.45.122 Institutions other than public schools not meeting development standards.

Institutions other than public schools which do not meet development standards established in Section 23.45.090 may be permitted in multifamily zones as administrative conditional uses.

The following criteria shall be used to evaluate and/or condition the proposals:

Analysis from 3003877: *Institutions meeting all development standards are allowed in the Lowrise zones. This proposal does not meet all development standards and so must be reviewed under SMC 23.45.122. The structure depth is greater than allowed by SMC 23.45.090. The Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary.*

Additional analysis for 3009905: *Institutions meeting all development standards are allowed in the Lowrise zones. This proposal does not meet all development standards and so must be reviewed under SMC 23.45.122. The structure depth and the structure height within a required setback are greater than allowed by SMC 23.45.090. The Director may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary.*

A. Bulk and Siting. In order to accommodate the special needs of the proposed institution, and to better site the facility with respect to its surroundings, the Director may modify the applicable development standards for modulation, landscaping, provision of open space, and structure width, depth and setbacks. In determining whether to allow such modifications, the Director shall balance the needs of the institution against the compatibility of the proposed institution with the residential scale and character of the surrounding area.

Analysis from 3003877: *The proposed expansion would result in an institutional structure that exceeds maximum permitted structure depth. The proposed expansion and remodel of the existing structure has been reviewed by the Land Use Planner for compatibility with the residential scale and character of the surrounding area. The development to the west and north of the site is strongly residential in character, with predominantly single family residential structures. The development immediately east and south of the site is predominantly institutional and recreational.*

The proposed structure expansion and alteration includes design techniques to improve compatibility with the surrounding residential scale and character. These techniques include increased windows (fenestration) in the façade, landscaped areas with a variety of plants that will be substantial at the time of planting, building modulation on long facades, quality materials, hipped and gabled roof forms to reflect surrounding architecture, and a variety of colors and materials to reduce the scale of larger facades.

Although the proposed structure exceeds structure depth permitted under the applicable development standards, the design techniques employed result in a structure that is compatible with the residential scale and character of the surrounding area.

Additional analysis for 3009905: The proposed expansion would result in an institutional structure that exceeds maximum permitted structure depth and maximum height within a required setback. The proposed expansion and remodel of the existing structure has been reviewed by the Land Use Planner for compatibility with the residential scale and character of the surrounding area. The development to the west and north of the site is strongly residential in character, with predominantly single family residential structures. The development immediately east and south of the site is predominantly institutional and recreational.

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Although the proposed structure exceeds structure depth and structure height within a required setback permitted under the applicable development standards, the design techniques employed result in a structure that is compatible with the residential scale and character of the surrounding area.

B. Dispersion Criteria. An institution which does not meet the dispersion criteria of Section 23.45.102 may be permitted by the Director upon determination that it would not substantially aggravate parking shortages, traffic safety hazards, and noise in the surrounding residential area.

Analysis from 3003877: *As described in the response to SMC 23.45.102.A, the proposal meets the dispersion criterion in that code section.*

Additional analysis for 3009905: none

C. Noise. The Director may condition the permit in order to mitigate potential noise problems. Measures to be used by the Director for this purpose include, but are not limited to the following: landscaping, sound barriers or fences, mounding or berming, adjustments to yards or the location of refuse storage areas, or parking development standards, design modification and fixing of hours for use of areas.

Analysis from 3003877: *The proposal will not increase noise at this location. The majority of the activities will be located inside the building. The primary entry and plaza are located at the southeast corner, the furthest location from adjacent residential development.*

Additional analysis for 3009905: none; no changes to the entry or plaza locations.

D. Transportation Plan.

- 1. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area and/or required to provide twenty (20) or more parking spaces.**

Analysis from 3003877: *The proposed expansion of the existing institution is 15,070 square feet of structure area and 20 off-site parking spaces. The 96 existing off-site parking spaces are located at nearby sites. The proposed use of these spaces would be regulated through a covenant recorded with King County.*

The proposed additional square feet and parking spaces trigger the requirement for a transportation plan. The applicant has provided DPD with a transportation plan, "Holgate Street Church of Christ Trip Generation, Distribution and Parking Review Letter" prepared by Mark Jacobs of Jake Traffic Engineering Inc, dated September 26, 2006. The transportation plan has been reviewed by DPD's Transportation Planner.

Additional analysis for 3009905: none

- 2. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Consideration of the following elements and other similar factors may be required:**
 - a. Traffic.** *Number of staff during normal working hours; users, guests and others regularly associated with the institution; level of vehicular traffic generated; traffic peaking characteristics of the institution and the immediate area; likely vehicle use patterns; extent of congestion; types and number of vehicles associated with the use; and mitigating measures to be taken by the applicant;*
 - b. Parking Area.** *Number of spaces; extent of screening from public or abutting lots; direction of vehicle light glare; direction of lighting; sources of possible vibration; prevailing direction of exhaust fumes; location of driveway and curb cuts; accessibility and convenience of the parking area; and mitigating measures to be taken by the applicant, such as parking space preferences for carpool or vanpool vehicles and provisions for bicycle racks;*
 - c. Parking Overflow.** *Number of vehicles expected to park in the street; percentage of on-street parking supply to be used by the proposed use; opportunities available to share existing parking areas; trends in local area development and mitigating measures to be taken by the applicant;*
 - d. Safety.** *Number of driveways which cross pedestrian walkways; location of passenger loading areas;*
 - e. Availability of Mass Transportation.** *Bus route location and frequency of service; private transportation programs, including carpools and vanpools, to be provided by the applicant.*

Analysis from 3003877: *The applicant provided sufficient information for review. The information has been reviewed by DPD's Transportation Planner.*

Additional analysis for 3009905: none

3. *The Director may condition a permit to mitigate potential traffic and parking problems. Measures which may be used by the Director for this purpose include, but are not limited to, the following:*
- a. Implementing the institution's transportation plan to encourage use of public or private mass transit;*
 - b. Increasing on-site parking or loading space requirements to reduce overflow of vehicles into the on-street parking supply;*
 - c. Changing access and location of parking;*
 - d. Decreasing on-site parking or loading space requirements, if the applicant can demonstrate that less than the required amount of parking is necessary due to the specific features of the institution or the activities and programs it offers. In such cases, the applicant shall enter into an agreement with the Director, specifying the amount of parking required and linking the parking reduction to the features of the institution which justify the reduction. Such parking reductions shall be valid only under the conditions specified, and if those conditions change, the standard requirement shall be satisfied.*

Analysis from 3003877: *It was found that the number of proposed off-site parking spaces, the existing transit opportunities near the site, and the institution's proposed trip reduction program would be more than sufficient to accommodate trip generation and distribution as a result of the proposed expansion. No additional mitigation is contemplated for the proposed development.*

Additional analysis for 3009905: none

DECISION - ADMINISTRATIVE CONDITIONAL USE

The conditional use application is **CONDITIONALLY APPROVED** as indicated at the end of this document.

ANALYSIS – SEPA

Additional analysis for 3009905: none

Analysis from 3003877: *The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (submitted March 3, 2006), and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.*

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction and renovation; increased noise and vibration from construction operations and equipment during most hours of operation; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance will provide sufficient mitigation. The other impacts not noted here as mitigated by codes or conditions (e.g., increased traffic and parking demand from construction personnel) are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Demolition and transport will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Noise

Demolition of the existing buildings will be required. Excavation will be required to prepare the building sites and foundations for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited, subject to the conditions listed below.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and

may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning for those items is warranted by SEPA policies.

Height, Bulk and Scale

There will be increased height, bulk and scale on this site due to the proposed project. Most development standards are met by the proposal. The proposed expansion and renovation has been reviewed for height bulk and scale impacts and compatibility with the adjacent residential uses, as described in the analysis for the Administrative Conditional Use review above. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted.

Parking

There will be increased parking demand created by the project. The project will provide off-site parking for an additional 20 vehicles (96 existing off-site parking spaces, for a total of 116 off-site parking spaces). The applicant has submitted a traffic study detailing the expected parking demand for the proposal, which has been reviewed as described in the analysis for the Administrative Conditional Use review above. Peak parking demand is expected to be between 87 to 102 vehicles. 116 off-site parking spaces are to be provided within 800 feet through recorded covenants.

The parking impacts of the proposed expansion of the existing institution will be sufficiently addressed through proposed nearby off-site parking and trip reduction programs offered through the institution. Therefore, no additional parking mitigation is warranted.

Traffic

The applicant has provided a traffic report detailing trip generation and distribution as a result of the proposed expansion of the institution, as described in the analysis for the Administrative Conditional Use review above. The report stated that the proposed expansion would generate a total of approximately five vehicle trips per PM hour on weekdays. Peak trip generation would be 80 vehicles per peak hour on Sundays. Due to the service hours, peak trip generation for the institution is on a different day than typical peak hour trips.

Existing traffic volumes on adjacent Martin Luther King Jr. Way South include approximately 1,470 PM peak hour trips on weekdays. Adding five vehicle trips to this volume of traffic would be unnoticeable.

Traffic volumes on Martin Luther King Jr. Way South would be far less than 1,470 per hour on Sunday mornings, during the peak trip generation for the institution at this site. The addition of 80 vehicles per hour from the proposed expansion would have a negligible effect on existing traffic volumes. Thus, the noted traffic-related impacts of the proposed completed project are not considered adverse and no further mitigation is warranted under SEPA (SMC 25.05.675.R).

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

Prior to Issuance of a Construction Permit

1. The applicant shall demonstrate on the construction plans that the requirement for off-site accessory parking signage shall be met, as described in Director's Rule 14-86.
2. The landscape plan shall be consistent with the landscape plan drawings approved with MUP 3003877.

Permanent for the Life of the Project

3. Implement the items identified in the Transportation Management Plan submitted by the applicant and available in the 3003877 file.

CONDITIONS – SEPA

During Construction

4. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and

painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noise generating activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov) when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Signature: (signature on file) Date: June 11, 2009
Shelley Bolser AICP, Senior Land Use Planner
Department of Planning and Development

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